

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA

MICHAEL A. CAMPBELL,)	
)	
Plaintiff,)	
)	
v.)	No. CIV-18-467-R
)	
NIKKI GILLESPIE, et. al.,)	
)	
Defendants.)	

ORDER TO SHOW CAUSE

Plaintiff, a state prisoner appearing *pro se*, initiated this action under 42 U.S.C. § 1983 on May 11, 2018. Doc. No. 1. Plaintiff submitted an Application for Leave to Proceed *In Forma Pauperis* seeking leave to proceed without prepaying the civil filing fees and costs. Doc. No. 3. Ultimately, because Plaintiff had sufficient funds in his inmate account to pay the \$400 filing fee but there was a hold on the same, the Court conditionally granted Plaintiff's request to proceed *in forma pauperis*. Doc. No. 14.

Specifically, the Court ruled that once Cimarron Correctional Facility ("CCF"), where Plaintiff was incarcerated at that time, removed the hold on Plaintiff's account, he was "required to either immediately pay the full \$400 filing fee if there are sufficient funds in the account or submit an updated application and certified copy of the trust fund account statement for consideration of a revised payment plan." Doc. No. 14 at 2. Said Order was entered over one year ago on June

28, 2018, and to date, Plaintiff has neither paid the filing fee nor submitted an updated application and certified copy of the trust fund account statement for consideration of a revised payment plan. Additionally, during the past year, Plaintiff has been transferred on two occasions and has not been incarcerated at CCF since August 2018.

Accordingly, Plaintiff is directed to either pay the \$400 filing fee or show cause through a written submission to the Court, no later than August 1, 2019, why this action should not be dismissed. Failure to comply with this Order may result in the dismissal of this action without further notice. *Robledo-Valdez v. Smelser*, 593 F. App'x 771, 774-75 (10th Cir. 2014) (citing Fed. R. Civ. P. 41(b)); *AdvantEdge Bus. Grp. v. Thomas E. Mestmaker & Assocs.*, 552 F.3d 1233, 1236 (10th Cir. 2009).

IT IS SO ORDERED this 12th day of July, 2019.


GARY M. PURCELL
UNITED STATES MAGISTRATE JUDGE